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Paper No.

THERAVANCE, INC. 901 GATEWAY BOULEVARD SOUTH SAN FRANCISCO, CA 94080

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OFFICE OF PETITIONS

In re Application of

Martin Linsell Application No. 09/847,060

Filed: May 1, 2001

Attorney Docket No. P-090-R

ON REQUEST FOR

RECONSIDERATION OF

PATENT TERM ADJUSTMENT

This is in response to the "REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT INDICATED IN NOTICE OF ALLOWANCE (37 C.F.R. § 1.705)," filed April 20, 2004. Applicant requests that the patent term adjustment be corrected from four hundred fifty-eight (458) days to five hundred sixty-six (566) days. Applicant requests reconsideration solely on the basis that the Office has failed to issue a patent within 3 years of the actual filing date of the application.

A decision on the request for reconsideration of the patent term adjustment indicated in the patent is being held in abeyance until after the actual patent date.

Applicant is given **TWO (2) MONTHS** from the issue date of the patent to file a written request for reconsideration of the patent term adjustment indicated in the patent on this basis. Applicants may seek such reconsideration without payment of an additional fee.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

The application file is being forwarded to the Office of Patent Publication for issuance of the patent.

Telephone inquiries specific to this matter should be directed to Nancy Johnson, Senior Petitions Attorney, at (703) 305-0309.

Karin Ferriter

Senior Legal Advisor

Office of Patent Legal Administration

Office of Deputy Commissioner for Patent Examination Policy